

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on June 19, 2007 after a 6:30 p.m. caucus session.

Mayor White presiding.

Mayor White led the Pledge of Allegiance.

The following members of the Council answered roll call in person: YEA Commissioner David Cline, YEA Commissioner Randy Ervin, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance in person were City personnel: City Administrator Alan Gilmore, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Fire Chief Michael Chism, Assistant Fire Chief Andy Adair, Community Development Coordinator Kyle Gill, Public Works Superintendent Chris Hartbank, and City Clerk Susan J. O'Brien.

The City of Mattoon, Illinois conducted a public hearing in the City Hall Council Chambers in order to receive public comments on the grant application for OSLAD (Open Space Lands Acquisition and Development Program) which provides funding assistance to local government agencies for acquisition and/or development of land for new public parks or park expansion through the Illinois Department of Natural Resources. Potential funding assistance of up to 50% for approved project costs. [Roundhouse Multi-sport Complex Improvement Project] Mayor White opened the public hearing at 7:01 p.m. and directed Public Works Director David Wortman to conduct the hearing. Director Wortman presented the opportunity for the grant; reviewed the various parks, coverage area, and inventory; park's budget for the last six years; presented the project details; presented the application budget; and stated the grant was a reimbursement program. Next, Mr. Greg A. Gustafson, Engineer at P.E. Foth & Van Dyke/Daily Division, announced the application deadline of July 1; reviewed items the Department of Resources considers important, constraints of the funding, a DNR site visit, the interview process of the DNR review board with an announcement of award in December or January for smaller to larger communities, favorable first-time applicants, other grant acquisition programs, in-kind labor considerations, maximum grants of \$400,000, and elements to accomplish as a five-year parks and recreation program. Further questions from the public were requested. There were no public inquiries. Mayor White closed the hearing at 7:22 p.m.

CONSENT AGENDA

Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.

Mayor White seconded by Commissioner Schilling moved to approve the consent agenda consisting of minutes of the regular meeting June 5, 2007 and payroll and bills for the first half of June, 2007.

Bills and Payroll for the first half of June 2007

General Fund

Payroll		\$ 263,992.60
Bills		<u>\$ 170,592.15</u>
	Total	\$ 434,584.75

Hotel Tax Fund

Payroll		\$ 2,194.95
Bills		<u>\$ 18,319.05</u>
	Total	\$ 20,514.00

Festival Management

Bills		<u>\$ 3,841.48</u>
	Total	\$ 3,841.48

Insurance & Tort Judgment

Bills		<u>\$ 595.00</u>
	Total	\$ 595.00

Midtown TIF Fund

Bills		<u>\$ 10,000.00</u>
	Total	\$ 10,000.00

Water Fund

Payroll		\$ 31,365.95
Bills		<u>\$ 17,791.45</u>

	Total	\$ 49,157.40
<u>Sewer Fund</u>		
Payroll		\$ 24,666.73
Bills		<u>\$ 77,368.27</u>
	Total	\$ 102,035.00
<u>Cemetery Fund</u>		
Payroll		\$ 5,576.31
Bills		<u>\$ 854.95</u>
	Total	\$ 6,431.26
<u>Health Insurance</u>		
Bills		<u>\$ 98,587.78</u>
	Total	\$ 98,587.78
<u>Motor Fuel Tax Fund</u>		
Bills		<u>\$ 10,520.71</u>
	Total	\$ 10,520.71
<u>Revolving Loan Fund</u>		
Bills		<u>\$ 156.00</u>
	Total	\$ 156.00

Mayor White declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commission McKenzie, YEA Commissioner Schilling, YEA Mayor White.

PUBLIC PRESENTATIONS, PETITIONS AND COMMUNICATIONS

This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.

Police Officer Donald Munro presented an American Flag which was flown over Camp Baharia, Al Fallujah, Al Anbar, Iraq during Operation Iraqi Freedom, and certificate which read as: This Certifies that the accompanying American Flag was flown over Camp Baharia, Al Fallujah, Al Anbar, Iraq during Operation Iraqi Freedom and the Global War on Terrorism on 11 January 2007. This flag is dedicated to the City of Mattoon by 1st Sergeant Donald Munro of 1st Battalion 24th Marines an official entry has been recorded in the command logbook. Signed by J.J. Leshinsky, Sgt Major, US Marine Corps and H.R. Van Opdorp Lt Col, US Marine Corps. The Mayor and Council thanked Officer Munro for his service to his Country.

Ms. Sherry Adams addressed the Council with regard to Cunningham Park and the removal of old playground equipment, and stated she would like the park revitalized. Director Wortman responded that the old equipment was removed due to destructive behavior by youth of the community; and requested Ms. Adams to provide the neighborhood community's interest through petitions, etc. for the Council to consider placing funds into next year's budget. Administrator Gilmore encouraged Ms. Adams to contact service clubs in requesting funding for the park. Council appreciated her attendance at the meeting to voice her concerns.

NEW BUSINESS

Mayor White seconded by Commissioner Cline moved to adopt Resolution 2007-2697, authorizing the Mayor and Police Chief to sign a mutual aid agreement between Lake Land College and the City of Mattoon for emergency and non-emergency law enforcement services.

CITY OF MATTOON, ILLINOIS

RESOLUTION NO. 2007-2697

RESOLUTION TO AUTHORIZE THE MAYOR AND CHIEF OF POLICE TO EXECUTE DOCUMENTS NECESSARY TO CONTINUE A MUTUAL AID AGREEMENT WITH LAKE LAND COLLEGE DEPARTMENT OF PUBLIC SAFETY AND EMERGENCY AND NON-EMERGENCY ENFORCEMENT SERVICES

WHEREAS, the Mattoon Police Department is the duly recognized law enforcement agency for the City of Mattoon, Illinois, and

WHEREAS, Lake Land College has established a law enforcement agency for the Lake Land College jurisdiction, commonly known as the Lake Land College Department of Public Safety, and

WHEREAS, both agencies' jurisdictions lie within the corporate boundaries (city Limits) of the City of Mattoon, Illinois, duly recognized by the City council of the City of Mattoon and Lake Land College Board of Trustees, and

WHEREAS, a mutual aid agreement was passed by Resolution 98-2110, and

WHEREAS, the administrators of the Mattoon Police Department and the administrators of the Lake Land College Department of Public Safety feel it is in the best interests for the safety of police officer as well as for the safety of members of the public to continue and extend a Mutual Aid/Assistance Agreement for emergency and non-emergency law enforcement issues,

BE IT HEREIN RESOLVED AS FOLLOWS:

That the City Council hereby authorizes the Mayor and the Chief of Police of the Mattoon Police Department to execute and documents necessary to effectuate a Mutual Aid/Assistance Agreement between the Mattoon Police Department and the Lake Land College Department of Public Safety.

Upon motion by Mayor White, seconded by Commissioner Cline, adopted this 19th day of June, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner McKenzie,
Commissioner Schilling, Mayor White.

NAYS (Names): None

ABSENT (Names): None

ABSTAIN (Names): Commissioner Ervin

/s/ Charles E. White
Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 20, 2007.

Mayor White opened the floor for discussion. No discussion.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, ABSTAIN Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner Schilling moved to approve Council Decision Request 2007-762, approving regular employment status for Firefighter Doug Cole on completion of his one-year probationary period effective May 19, 2007.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner McKenzie moved to adopt Resolution 2007-2698, providing for a feasibility study on designation of a portion of the City of Mattoon as a redevelopment project area and to induce development interest within such area [Broadway Avenue East TIF District].

CITY OF MATTOON

RESOLUTION NO. 2007-2698

**RESOLUTION PROVIDING FOR A FEASIBILITY STUDY ON
DESIGNATION OF A PORTION OF THE CITY OF MATTOON AS A REDEVELOPMENT PROJECT AREA
AND**

TO INDUCE DEVELOPMENT INTEREST
WITHIN SUCH AREA

WHEREAS, the City of Mattoon (the “City”) is authorized under the provisions of the Tax Increment Allocation Redevelopment Act, *65 ILCS 11-74.4-1, et seq.* (the “Act”), to finance redevelopment project costs in connection with redevelopment project areas established in accordance with the conditions and requirements set forth in the Act; and

WHEREAS, pursuant to the Act, to implement tax increment financing (TIF), it is necessary for the City to adopt a redevelopment plan and redevelopment project, designate a redevelopment project area on the basis of finding that the area qualifies pursuant to statutory requirements, and make a finding that the redevelopment project area on the whole has not been subjected to growth and development through private enterprise and would not reasonably be anticipated to be developed without the adoption of a redevelopment plan, which plan contains a commitment to use public funds; and

WHEREAS, the City desires to undertake a feasibility study to determine whether findings may be made with respect to an area of the City (referred to as the “Broadway East Redevelopment Project Area”), which may be designated as a redevelopment project area, to qualify the area as a blighted area or a conservation area or a combination thereof as defined in the Act, and other research necessary to document the lack of growth and development through private enterprise; and

WHEREAS, the exact extent and boundaries of the redevelopment project area are not precisely defined at this time but the area being considered is generally delineated on **Exhibit A** attached hereto, and that the actual redevelopment project area to be established may contain more or less land than that shown on Exhibit A; and

WHEREAS, the City will be expending certain funds to determine eligibility of the proposed redevelopment project area and to prepare the required redevelopment plan if the City decides to implement tax increment financing for all or a portion of the proposed TIF area; and

WHEREAS, the City may expend other funds in furtherance of the objectives of the anticipated redevelopment plan; and

WHEREAS, it is the intent of the City to recover these expenditures from first proceeds of the TIF program, if established; and

WHEREAS, the City wishes to encourage developers and property owners to pursue plans for the redevelopment of the area and make such expenditures as are reasonably necessary in that regard with confidence that said expenditures may be allowable redevelopment project costs under the plan once adopted and subject to a redevelopment agreement between the City and the developers/property owners; and

WHEREAS, the purpose of the proposed redevelopment plan and project is to generate private investment in the targeted area, thereby eliminating or reducing blighted conditions or conditions that may lead to blight and provides for the long-term sound growth of the community; and

WHEREAS, tax increment allocation financing utilizes the increase in real estate taxes (“tax increment”) resulting from the increase in value of properties located in a redevelopment project area to pay for certain redevelopment projects costs as provided for in the Act; and

WHEREAS, given that none of the purposes of the proposed redevelopment plan or proposed redevelopment project area is not reasonably expected to result in the displacement of residents from ten (10) or more inhabited residential units within the area, the feasibility study is not required to include the preparation of any housing impact study as described in Section 11-74.4-4.1 (b) of the Act; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mattoon, Illinois as follows:

1. That the City Council has examined the proposed area and circumstances and at this time believe that it is reasonable to believe that a tax increment financing plan can be adopted for said area and expenditures of development costs in furtherance of the plan and potential development should be allowable project costs under the plan, provided that this resolution is not a guarantee that any such plan will be adopted, but rather an expression of the sense of the City at this time.
2. The person to contact for additional information about the proposed redevelopment project area and who should receive all comments and suggestions regarding the redevelopment of the area shall be:

Alan Gilmore
City Administrator
City of Mattoon
208 North 19th Street
Mattoon, IL 61938
Telephone (217) 235-5511

PASSED this 19th day of June 2007.

YEAS: Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS: None

ABSENT: None

ABSTAIN: None

/s/ Charles E. White
Charles E. White, Mayor

ATTEST:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

ATTACHMENT A:
Preliminary Boundary
Proposed Broadway East Redevelopment Project Area

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner Schilling moved to approve Council Decision Request 2007-763, approving a \$2,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Beach Multi-Sport Triathlon for their event on August 18, 2007 and approving a \$5,000 grant to the Great Illini Half and Full Iron Distance Triathlon for their event on September 15, 2007.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner Cline moved to approve Council Decision Request 2007-764, approving a \$1,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Junior Football League Jamboree for their event on August 11, 2007.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner McKenzie moved to approve Council Decision Request 2007-765, approving a \$2,800 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon High School for hosting the Mattoon Boys Golf Invitational on September 7-8, 2007.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Ervin seconded by Commissioner Schilling moved to approve Council Decision Request 2007-766. approving a \$2,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon Junior Baseball Inc. for hosting the Mattoon 4th of July Invitational Baseball Tournament to be held July 5-8, 2007.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Ervin moved to approve Council Decision Request 2007-767, approving the 2008 rental rates of the Peterson Park Pavilion, DeMars and Burgess Osborne Auditorium buildings.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Cline moved to adopt Special Ordinance 2007-1232, authorizing the rezoning of 6924 Dole Road from RS (Suburban District) to C-3 (Service Commercial) for a small automobile resale dealership. Seth and Sarah Knierim – Petitioners

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2007-1232

AN ORDINANCE REZONING PROPERTY, LOCATED AT 6924 DOLE ROAD, FROM RS, SUBURBAN DISTRICT TO C3, SERVICE COMMERCIAL DISTRICT

WHEREAS there has been filed a written Petition by Seth J. and Sarah K. Knierim respectfully requesting a change in zoning from RS, Suburban District to C3, Service Commercial District, on the property legally described as:

PART OF THE NORTH HALF (N.1/2) OF THE NORTHWEST QUARTER (NW.1/4) OF SECTION TWENTY ONE (21), TOWNSHIP TWELVE (12) NORTH, RANGE SEVEN (7) EAST OF THE THIRD PRINCIPLE MERIDIAN; MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER (NW.1/4) OF SECTION TWENTY ONE (21), TOWNSHIP TWELVE (12) NORTH, RANGE SEVEN (7) EAST OF THE THIRD PRINCIPLE MERIDIAN; THENCE SOUTH 00 DEGREES 20 MINUTES 07 SECONDS WEST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW.1/4), 605.64 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 11 MINUTES 02 SECONDS EAST 365.66 FEET TO AN IRON PIN TAGGED 2945; THENCE SOUTH 00 DEGREES 59 MINUTES 38 SECONDS EAST 247.32 FEET TO AN IRON PIN TAGGED 2495; THENCE SOUTH 89 DEGREES 49 MINUTES 25 SECONDS WEST 371.40 FEET TO SAID WEST LINE; THENCE NORTH 00 DEGREES 20 MINUTES 07 SECONDS EAST 253.64 FEET TO THE POINT OF BEGINNING, SITUATED IN MATTOON TOWNSHIP, COLES COUNTY, ILLINIOS.

Commonly known as 6924 Dole Road, Mattoon, Illinois

WHEREAS the current zoning of the property is RS, Suburban District, and the rezoning request is beneficial to the petitioner and the community; and

WHEREAS the Zoning Board of Appeals held a properly noticed public hearing on June 5, 2007 regarding petitioner's request for said rezoning; and

WHEREAS both the Planning Commission for the City of Mattoon, Coles County, Illinois, and the Zoning Board of Appeals for the City of Mattoon, Coles County, Illinois, have recommended that the requested rezoning be granted; and

WHEREAS the City Council for the City of Mattoon, Coles County, Illinois, deems that it would be in the public interest to approve the rezoning on the premises described in this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Pursuant to enabling authority provided at Section §159.05 of the Mattoon Code of Ordinances, the property legally described as aforesaid, be and the same is rezoned from RS, Suburban District to C3, Service Commercial District.

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Section 4. The City Clerk shall make and file a duly certified copy of this ordinance with the Clerk and Recorder's Office of Coles County, Illinois.

Upon motion by Mayor White, seconded by Commissioner Cline, adopted this 19th day of June, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,

Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None
ABSENT (Names): None

Approved this 19th day of June, 2007.

/s/ Charles E. White

Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 20, 2007.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commission McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner McKenzie moved to adopt Resolution 2007-2699, renewing the agreement with the Mattoon Junior Baseball League (JC League) for 19 years, and authorizing the Mayor and City Clerk to sign the document.

CITY OF MATTOON, ILLINOIS

RESOLUTION 2007-2699

A RESOLUTION APPROVING AN AGREEMENT WITH MATTOON JUNIOR BASEBALL LEAGUE INC., A CHARITABLE CORPORATION, AND AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN THE AGREEMENT

WHEREAS, the Mattoon Junior Baseball League Inc., is a charitable corporation, hereinafter referred to as the Association, and

WHEREAS, the Association desires to renew or otherwise extend the expired lease agreement, and

WHEREAS, the agreement has been updated to reflect the changes which have occurred over the course of the previous lease agreement, and

WHEREAS, the City Council of the City of Mattoon, Coles County, Illinois has reviewed and considered the agreement and deems that it is in the public interest to enter into said agreement with the Association, and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mattoon, Coles County, Illinois hereby authorizes the Mayor and City Clerk to enter into an agreement with the Association, which is attached hereto and marked as Exhibit 1.

Upon motion by Commissioner Schilling, seconded by Commissioner McKenzie adopted this 19th day of June, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAY (Names): None
ABSENT (Names): None

Approved this 19th day of June, 2007.

/s/ Charles E. White
Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 20, 2007.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Ervin moved to adopt Resolution 2007-2700, authorizing the support and adoption of the OSLAD Grant application for the Roundhouse Complex. [Roundhouse Multi-sport Complex Improvement Project]

**CITY OF MATTOON
RESOLUTION NO. 2007-2700**

Resolution of Support and Adoption

WHEREAS, the City of Mattoon is applying for a State of Illinois Department of Natural Resources 2007 Outdoor Space Land Acquisition and Development (OSLAD) Grant for the Roundhouse Complex Park Improvement Project, and

WHEREAS, it is in the best interest of the City of Mattoon to plan and identify future Park and Recreation improvements.

NOW THEREFORE, Be It Resolved as follows:

- 1) That the City of Mattoon shall apply for a grant under the terms and conditions of the State of Illinois and shall enter into and agree to the understandings and assurances contained in said applications.
- 2) That the Mayor and City Clerk on behalf of the City of Mattoon Council execute such documents and all other documents necessary for the carrying out of said application.
- 3) That the City of Mattoon adopt the assembled City of Mattoon Roundhouse Multi-sport Complex Improvement Project with all attachments, dated June 19, 2007.
- 4) That the City of Mattoon will adopt the certified Public Meeting minutes of the Public Meeting conducted on June 19, 2007 for the discussion of the Improvements being considered for the Roundhouse Multi-sport Complex Improvement Project.
- 5) That the Mayor and City Clerk are authorized to provide such additional information as may be required to accomplish obtaining such grant.
- 6) This resolution shall be in full force and effective immediately upon its adoption.

Upon motion by Commissioner Schilling, seconded by Commissioner Ervin adopted this 19th day of June, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,
Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 19th day of June, 2007.

/s/ Charles E. White
Charles E. White, Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 20, 2007.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner McKenzie moved to adopt Resolution 2007-2701, authorizing the Mayor and City Clerk to sign the State of Illinois Resolution of Authorization for the OSLAD/LWCF Project Application certifying availability of funds for the project. [Roundhouse Multi-sport Complex Improvement Project]

RESOLUTION 2007-2701

STATE OF ILLINOIS/ IDNR
OSLAD/LWCF PROJECT APPLICATION

DOC-3 RESOLUTION OF AUTHORIZATION

1. Project Sponsor: City of Mattoon
2. Project Title: Roundhouse Multisport Complex Improvement Project

The City of Mattoon hereby certifies and acknowledges that it has 100% of the funds necessary (includes cash and value of donated land) to complete the pending OSLAD/LWCF project within the timeframes specified herein for project execution, and that failure to adhere to the specified project timeframe or failure to proceed with the project because of insufficient funds or change in local recreation priorities is sufficient cause for project grant termination which will also result in the ineligibility of the local project sponsor for subsequent Illinois DNR outdoor recreation grant assistance consideration in the next two (2) consecutive grant cycles following project termination.

Acquisition and Development Projects

It is understood that the project should be completed within the time frame established in the project agreement and *the Final Billing reimbursement request will be submitted to IDNR as soon as possible after project completion.*

The City of Mattoon further acknowledges and certifies that it will comply with all terms, conditions and regulations of 1) the Open Space Lands Acquisition and Development (OSLAD) program (17 IL Adm. Code 3025) or federal Land & Water Conservation Fund (LWCF program (17 IL Adm. Code 3030), as applicable, 2) the federal Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970 (P.L. 91-646) and/or the Illinois Displaced Persons Relocation Act (310 ILCS 40 et seq.) as applicable, 3) the Illinois Human Rights Act (775 ILCS 5/1-101 et seq.), 4) Title VI of the Civil Rights Act of 1964, (P.L. 83-352), 5) the Age Discrimination Act of 1975 (P.L. 94-1135), 6) the Civil Rights Restoration Act of 1988, (P.L. 100-259) and 7) the Americans with Disabilities Act of 1990 (PL 101-336); and will maintain the project area in an attractive and safe conditions, keep the facilities open to the general public during reasonable hours consistent with the type of facility, and obtain from the Illinois DNR written approval for any change or conversion of approved outdoor recreation use of the project site prior to initiating such change or conversion; and for property acquired with OSLAD/LWCF assistance, agree to place a covenant restriction of the project property deed at the time of recording that stipulates the property must be used, in perpetuity, for public outdoor recreation purposes in accordance with the OSLAD/LWCF programs and cannot be sold or exchanged, in whole or part, to another party without approval from the Illinois DNR.

BE IT FURTHER PROVIDED that the City of Mattoon certifies to the best of its knowledge that the information provided within the attached application is true and correct.

This Resolution of Authorization has been duly discussed and adopted by the City of Mattoon at a legal meeting held on the 19th day of June, 2007

/s/ Charles E. White
Mayor

ATTESTED BY: /s/ Susan J. O'Brien
City Clerk

Mayor White declared the motion carried by the following vote; YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Cline moved to adopt Special Ordinance 2007-1233, authorizing the sale of Lots 86 and 91 in Lake Paradise Subdivision to Jeff and Lena Eaton, current owners of a home on leased premises at Lots 86 and 91, Lake Paradise Subdivision, and authorizing the Mayor to sign all documents necessary to complete the transaction. (Commonly known as 1921 Scenic Lane)

CITY OF MATTOON, ILLINOIS

SPECIAL ORDINANCE NO. 2007-1233

SPECIAL ORDINANCE: AUTHORIZING THE SALE OF LOTS 86 AND 91 IN LAKE PARADISE SUBDIVISION TO JEFF AND LENA EATON, CURRENT OWNERS OF A HOME ON LEASED PREMISES AT LOTS 86 & 91, LAKE PARADISE SUBDIVISION, AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION. (COMMONLY KNOWN AS 1921 SCENIC LANE)

WHEREAS, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

WHEREAS, by Resolution 2006-2642, adopted March 21, 2006, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

WHEREAS, said resolution authorized the management staff to solicit offers for the sale of this real estate provided that any such sale shall be subject to ratification by a special ordinance of the City Council; and

WHEREAS, Jeff and Lena Eaton have made an offer to purchase the property for \$18,000.00; and

WHEREAS, Jeff and Lena Eaton own the home located on the property; and

WHEREAS, Stanley D. Gordon, CREA of Gordon Appraisal Service, Inc. determined \$18,000.00 was the fair market value of the real estate as of June 11, 2007, a copy of which is attached hereto and incorporated herein by this reference; and

WHEREAS, The City has undertaken to have the property subdivided, appraised and has had the title insurance covering the property updated and the purchasers are willing to pay their share of those costs; and

WHEREAS, the City Attorney has prepared a Real Estate Sales Contract that is attached to the Special Ordinance and incorporated herein by this reference.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The city attorney is authorized to prepare closing documents and the mayor and city clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 3 of this ordinance to Jeff and Lena Eaton, subject to a payment of \$18,000.00. The purchase price will be due at closing.

Section 3. The real estate to be conveyed pursuant to this ordinance is legally described as:

Lots Eighty-Six (86) and Ninety-One (91) in Lake Paradise Subdivision, Unincorporated Coles County, Illinois.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Schilling, seconded by Commissioner Cline, adopted this 19th day of June, 2007, by a roll call vote, as follows:

AYES (Names): Commissioner Cline, Commissioner Ervin,

Commissioner McKenzie, Commissioner Schilling,
Mayor White

NAYS (Names): None

ABSENT (Names): None

Approved this 19th day of June, 2007.

/s/ Charles E. White
Charles E.

White, Mayor
Coles County, Illinois

City of Mattoon,

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on June 20, 2007.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White complimented the Tourism Committee on the grant proposals.

Mayor White seconded by Commissioner McKenzie moved to recess to closed session at 7:41 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS120 (2)(c)(1)); and litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(1)).

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Council reconvened at 8:21 p.m.

Mayor White seconded by Commissioner Cline moved to adjourn at 8:22 p.m.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

/s/ Susan J. O'Brien
City Clerk